



PROFILE

Meg Utterback '91

TAKING RISKS IN UNFAMILIAR LEGAL TERRITORY

“THAT’S CRAZY! WHY WOULD YOU WANT TO DO THAT?” Meg Utterback’s parents asked, utterly bewildered.

It was 1985 and Utterback '91, the youngest of seven children, had announced she was leaving her family on the Eastern Shore of Maryland to study in China.

The move seemed completely rational to her. China had finished its Cultural Revolution and Deng Xiaoping was encouraging China to open its doors to the West. She’d learned some Mandarin in high school and earned a bachelor’s degree in political science at McGill University. Now, she wanted to master the language and see, first hand, how China was changing.

More than 30 years later, Utterback lives in Shanghai, where she manages a thriving practice in international arbitration, compliance, and crisis management. She serves—as the only foreign-born female partner—on the five-member executive committee of King & Wood Mallesons, a Chinese firm with more than 2,700 lawyers in 36 cities, which makes it the sixth largest law firm in the world. She reads, writes, and speaks Chinese all day, almost every day.

Ask Utterback about the secret of her success and she responds without hesitation: “Taking risks,” pointing to that decision of 1985. “That was the first risk. The second risk was thinking that as a litigator in Washington, D.C., I could

pick up and move to China and build a career.”

Utterback went to China People’s University in 1985 as an exchange student in the Department of Law, where, she readily admits, there was not much law to study. She became increasingly interested in how Chinese law would change as the still-Communist government embraced capitalism and opened its economy to the world. “If the Communist Party is above the constitution, how do you develop the rule of law?” she asked herself.

Ironically, that question propelled her back to the United States and Maryland Carey Law, where she discovered a passion for litigation while working with

Professor Barbara Bezdek on landlord-tenant issues in the Clinical Law Program. “I liked it so much, I knew there was no going back. I was going to be a litigator,” she recalls.

But by 1991, when she earned her JD, the U.S. economy was in a slump and there still weren’t many litigators in China. She decided to hone her skills in D.C., handling mostly insurance litigation for larger and larger firms until 1999, when, pregnant with her first child, she “just fell into” an international arbitration case involving the modernization of the airports in New Delhi and Mumbai. She began flying to Johannesburg for another case, and then to China, where she made a pitch for and won a third. Although still based in D.C., she was spending more time abroad than in the States. By 2005, when Thelen, the New York-based firm where she was a partner, asked if she’d like to practice full-time in China, she jumped at the chance.

After a few months, she found herself trying to demonstrate the value she could add to prospective clients who had been in China for more than a decade. “What could I possibly bring to the dialogue?” she asked herself then, but adds, “over time you learn.”

She moved to Pillsbury Winthrop Shaw Pittman, just

before Thelen folded in 2008. In 2010, she took her third big risk, jumping from Pillsbury to King & Wood—a move that “was relatively unheard of and landed me on the cover of *The American Lawyer*,” she recalls. A few foreign lawyers were in the ranks of Chinese firms, but it was still viewed as risky. U.S. colleagues practicing in China warned that she would never survive: “Can you trust this culture you don’t really understand? How do you know everybody’s not running around behind your back?” were just some of the questions they asked, Utterback remembers. But “I never felt that,” she says now. “I moved over and very quickly found a way to make friends.”

et al.: Taking Risks in Unfamiliar Legal Territory

She also acquired an important new resource: colleagues who could represent clients in Chinese courts, something foreign-born attorneys can’t do. Six years later, she has no regrets and is more immersed in Chinese law than ever. “The People’s Republic of China (PRC) is a civil-law country, not a common-law country like the U.S.,” Utterback notes. “It’s very political and even more regulated than the U.S. There’s black and white in China and 500 shades of gray in between. And the laws change constantly. Chinese litigation is always nonlinear.”

For example, Utterback says, even if you have a strong case, with the evidence and law on your side, its final outcome may be influenced by personal relationships, the need to save face, political expediency, or

economic trends—a factor that’s particularly influential now. “Will a judge really resolve a joint-venture dispute by shutting down a factory with 4,000 or 5,000 workers?” Utterback asks. “Given the current economy in China, there’s a huge drive to maintain social stability. You have to be conscious of the broader context when assessing how the court will feel about a case. It’s never simply a legal judgment.”

Utterback expects to see Chinese law continue to become both more detailed and stable as it evolves into new areas, such as anti-trust and environmental litigation. She expresses only gratitude at finding herself “in a position where I can do something I love, with all my passion, and contribute. Maybe in some way I’m making a difference. That, to me, is success. You get up and you want to go to work. You can be a role model to younger lawyers and teach them the importance of being a lawyer,” she says.

“One thing that stayed with me from law school is that this is a great and noble profession. Sharing that with others and getting them excited about being a lawyer contributing to the development of the rule of law is what makes it rewarding. It’s reaching that level.”

China Connections

Meg Utterback '91 was one of several alumni who Dean Donald B. Tobin met during a 10-day trip to Beijing and Shanghai. Tobin and Katrin Hussmann Schroll '09, the law school’s assistant dean for admissions, also met with the deans and faculties of six Chinese law schools and are now in the process of formalizing plans for scholarly and student exchanges.

“Our relationships with our alumni and universities in China enable us to expand international opportunities for our students and to strengthen the law school’s ties with other international institutions, including law firms and law schools in China,” Tobin says.

Tobin and Schroll also visited attorneys at Jones Day, Dentons, and King & Wood Mallesons, the firm where Utterback is a partner. “China is a dynamic and growing legal market,” Tobin emphasizes. “We should have a greater understanding of it and how Maryland Carey Law can play a role in educating both Chinese and U.S. students for an ever-changing international legal system.” China is already an important source of applications for Maryland Carey Law’s thriving LLM program.

While in Shanghai, Tobin and Schroll also attended “Green China,” an environmental law summit at KoGuan Law School, where Maryland Carey Law professors Robert Percival and Michael Pappas, as well as several of their students, presented papers.

Dean Donald B. Tobin (right) met with many alumni during his trip in March 2016, including Andy Sun '91 (left), visiting professor at Peking University Law School and executive director of the Asia Pacific Legal Institute in Clarksville, Md. They are pictured below in front of Luce Pavilion at the Peking University campus in Beijing, China.

